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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,379	09/18/2003	Shoji Mori	09867/0200046-US0	5023
7278	7590	05/02/2007	EXAMINER	
DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257			SONG, HOSUK	
ART UNIT		PAPER NUMBER		
2135				
MAIL DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/665,379	MORI, SHOJI	
	Examiner	Art Unit	
	HOSUK SONG	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 18 September 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-4 and 6-9 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1,4,6 and 9 is/are rejected.

7) Claim(s) 2,3,7 and 8 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 18 September 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10665379.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
5) Notice of Informal Patent Application
6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,4,6,9 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaliski(US 6,189,098).

Claims 1,4: Kaliski disclose a storing unit which stores certification information of the user in (col.6,lines 16-17). Kaliski disclose an encryption key receiving unit which requests a certification process from the server device and receives an encryption key assigned to the certification process hardware from the server device in (fig.4A). Kaliski disclose an encryption unit which encrypts the certification information by using the received encryption key in (fig.5,#38). Kaliski disclose a certification information transmitting unit which transmits the encrypted certification information to the server device in (fig.5). Kaliski disclose a certification result information receiving unit which receives encrypted certification result information from the server device in (fig.5#40). Kaliski disclose a decryption processing unit which decrypts the encrypted certification result information by using the encryption key in (fig.5,#54). Kaliski disclose an execution permitting unit which gives an execution permission for a process comprising communication from the server device to the terminal device when a decryption of the certification result information by the decryption unit succeeds in (fig.5;col.15,lines 61-63).

Claims 6 ,9: Kaliski disclose connecting certification processing hardware to the terminal device and storing certification information of the user in the certification processing hardware in (fig.5). Kaliski disclose requesting a certification process from the server device and receiving from the server device, an

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encryption key assigned to the certification processing hardware in (fig.4A). Kaliski disclose encrypting the certification information by the using the received encryption key and transmitting the encrypted certification information to the server device in (fig.5,##38,13). Kaliski disclose receiving encrypted certification result information from the server device and decrypting the encrypted certification result information by using the encryption key in (fig.5,##40,54). Kaliski disclose giving an execution permission of a process comprising communication from the server device to the terminal device after the decrypting step in (fig.5,6 and col.15,lines 61-63).

Allowable Subject Matter

Claims 2-3,7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

"e.g" in the abstract should be avoided. Please make an appropriate correction.

Response to Applicant's Arguments

In response to Restriction Requirement applicant elects claims 1-4,6-9 with traverse. The traversal is on the grounds that two classes would appear to be close enough for an effective search without serious burden and traverses the Restriction on the grounds that a search and examination of all

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the claims in the application would not place a serious burden on the Examiner. In response: This is not found persuasive because Group I drawn to encryption key transmission and device certification classified in 713/173 and Group II drawn to hardware management system classified in 709/223. These two inventions are distinct and acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated as proper.

USPTO Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOSUK SONG whose telephone number is 5712723857. The examiner can normally be reached on mon-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM VU can be reached on 5712723859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HS
HOSUK SONG
PRIMARY EXAMINER